

FILED

March 16, 2022

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: SAJ Deputy

UNITED STATES OF AMERICA

Plaintiff

v

EDUARDO PUENTE

Defendant

Case No: SA-22-CR-00126-XR

INDICTMENT

COUNT 1: 21 U.S.C. §§ 846, 841(a)(1) and 841 (b)(1)(A); Conspiracy to Distribute and Possess with intent to Distribute 50 grams or more of Methamphetamine;

COUNT 2: 21 U.S.C. §§841(a)(1) and 841 (b)(1)(A); Possession with intent to Distribute 50 grams or more of Methamphetamine;

COUNT 3: 21 U.S.C. §§ 841(a)(1) and 841 (b)(1)(A); Possession with intent to Distribute 1 kilogram or more of Heroin;

COUNT 4: 18 U.S.C. § 924(c); Possession of a Firearm in Furtherance of a Drug Trafficking Offense, and

COUNT 5: 18 U.S.C. § 922(g)(1); Felon in Possession of a Firearm

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A)]

That on or about February 17, 2022, in the Western District of Texas, Defendants,

EDUARDO PUENTE,

and others known and unknown to the Grand Jury, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree together and with each other to distribute and possess with intent to distribute a controlled substance, which offense involved 50 grams or more of Methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 846, and contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT TWO

[21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)]

On or about February 17, 2022, in the Western District of Texas, Defendants,

EDUARDO PUENTE,

did unlawfully, knowingly and intentionally possess with intent to distribute a controlled substance, which offense involved 50 grams or more of Methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT THREE

[21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)]

On or about February 17, 2022, in the Western District of Texas, Defendant,

EDUARDO PUENTE,

did unlawfully, knowingly and intentionally possess with intent to distribute a controlled substance, which offense involved 1 kilogram or more of Heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT FOUR
[18 U.S.C. §924 (c)]

On or about February 17, 2022, in the Western District of Texas, Defendant,

(1) EDUARDO PUENTE,

did knowingly possess firearms, namely: a Ruger .357 revolver, Serial Number 545-08986, and a Tavor-x95, .223 caliber. Rifle, Serial Number T0054670, in furtherance of a drug trafficking crime that may be prosecuted in a court of the United States, that is the offense alleged in Counts One, Two and Three in violation of Title 18, United States Code, Section 924(c).

COUNT FIVE
[18 U.S.C. § 922(g)(1)]

On or about February 17, 2022, in the Western District of Texas, Defendant,

EDUARDO PUENTE,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, namely: a Ruger .357 revolver, Serial Number 545-08986 and a Tavor-x95, .223 caliber. Rifle, Serial Number T0054670, the firearm had travelled in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922 (g)(1).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

I.

Drug Violations and Forfeiture Statutes

[Title 21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(A), subject to forfeiture pursuant to
Title 21 U.S.C. § 853(a)(1) and (2)]

As a result of the criminal violations set forth in Counts One through Three, the United States gives notice to Defendant **EDUARDO PUENTE** of its intent to seek the forfeiture of the

properties described below upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 21 U.S.C. § 853(a)(1) and (2), which states:

Title 21 U.S.C. § 853. Criminal forfeitures

(a) Property subject to criminal forfeitures.

Any person convicted of a violation of this subchapter or subchapter II punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law.--

(1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;

(2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; . . .

II.

Firearms Violations and Forfeiture Statutes

[Title 18 U.S.C. §§ 924(c) and 922(g)(1), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461]

As a result of the criminal violations set forth in Counts Four and Five, the United States of America gives notice to Defendant **EDUARDO PUENTE** of its intent to seek the forfeiture of the properties described below upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461. Section 924(d)(1) states in pertinent part:

Title 18 U.S.C. § 924. Penalties

(d)(I) Any firearm or ammunition involved in or used in any knowing violation of . . . subsection . . . (g) . . . of section 922, . . . or knowing violation of section 924, . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter. . . .

This Notice of Demand for Forfeiture includes but is not limited to the following:

III.

Personal Property

Seized from Defendant EDUARDO PUENTE:

1. \$6,400.00, more or less in United States Currency;

2. a Ruger .357 revolver, Serial Number 545-08986;
3. a Tavor-x95, .223 caliber Rifle, Serial Number T0054670; and
4. Any and all firearms, ammunition, and/or accessories involved in or used in the commission of the criminal offenses.

A TRUE BILL.

FOREPERSON

ASHLEY C. HOFF
United States Attorney

By: 

FOR PRISCILLA GARCÍA
Assistant United States Attorney